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Attorney for Defendant
SAMUEL KAAUWAI III

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

DEC 15 2006

at 3 o'clock and 3 min. M
SUE BEITIA, CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,) CR. NO. 03-00248 DAE
)
Plaintiff,) NOTICE OF MOTION; APPEAL
) AND REQUEST TO THE DISTRICT
vs.) COURT TO RECONSIDER A
) MATTER DETERMINED BY THE
SAMUEL KAAUWAI III,) MAGISTRATE JUDGE;
) DECLARATION OF COUNSEL;
Defendant.) MEMORANDUM IN SUPPORT;
) CERTIFICATE OF SERVICE

DATE:
TIME:
JUDGE:

NOTICE OF MOTION

TO: MARSHALL SILVERBERG
Assistant United States Attorney
PJKK Federal Building
300 Ala Moana Boulevard, Room 6100
Honolulu, Hawaii 96813
Attorney for Plaintiff
UNITED STATES OF AMERICA

ORIGINAL

PLEASE TAKE NOTICE that the following motion will be heard
before the Honorable _____, in his courtroom in the United
States Courthouse, 300 Ala Moana Boulevard, Honolulu, Hawaii, on _____
_____.

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Attorney for Defendant

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. 03-00248 DAE
)	
Plaintiff,)	APPEAL AND REQUEST TO THE
)	DISTRICT COURT TO
vs.)	RECONSIDER A MATTER
)	DETERMINED BY THE
SAMUEL KAAUWAI III,)	MAGISTRATE JUDGE
)	
Defendant.)	
_____)	

APPEAL AND REQUEST TO THE DISTRICT COURT
TO RECONSIDER A MATTER DETERMINED BY
THE MAGISTRATE JUDGE

Defendant, SAMUEL KAAUWAI III, by and through undersigned
counsel, Clayton Kimoto, moves this Court to Reconsider the Decision of the
Magistrate Judge denying the Motion to Withdraw as Counsel on December 1,
2006.

This motion is based upon the Sixth Amendment, United States

District Court Criminal Local Rule 57.3 (b), the attached declaration of counsel and the memorandum in support.

DATED: Honolulu, Hawaii, December 15, 2006.

A handwritten signature in black ink, appearing to read 'Clayton Kimoto', is written over a horizontal line.

CLAYTON KIMOTO
Attorney for Defendant
SAMUEL KAAUWAI III